

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARY LEANDRA CLUCK,  
Petitioner,  
vs.  
ELDON VAIL and MICHAEL  
HUMPHREY,  
Respondents.

NO. CV-09-5093-JPH

ORDER ADOPTING REPORT AND  
RECOMMENDATION AND DENYING  
MOTION TO DISMISS FOR LACK OF  
JURISDICTION

Magistrate Judge Hutton filed a Report and Recommendation on May 12, 2010, recommending Ms. Cluck's Motion to Dismiss for Lack of Jurisdiction (Ct. Rec. 40) be denied. There being no objections, the court **ADOPTS** the Report and Recommendation. The Motion is **DENIED**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and forward a copy to Petitioner.

**DATED** this 28th day of April, 2010.

*s/Lonny R. Suko*

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LONNY R. SUKO  
CHIEF UNITED STATES DISTRICT JUDGE